

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, May 19, 2011 3:30 P.M.
City Council Chambers
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF MAY 5, 2011 ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

OLD BUSINESS

- 1 11-129-965 Capitol Lien & Title/ Tony Magnotta**
Determination that vertical wind turbines are uses similar to cell phone antennas
1010 Dale St N, between Lawson and Hatch
B3
Kate Reilly 651-266-6618

NEW BUSINESS

- 2 11-135-208 Church of St Mark**
Conditional Use Permit for reuse of a large structure (former convent) as a residence for
Saint Paul Seminary seminarians
1976 Dayton Ave, SE Corner at Moore
R3
Josh Williams 651-266-6659

DISCUSSION

- 3 Denying zoning applications in the face of a staff recommendation to approve:
revisiting the legal requirements of Minn. § 15.99, Subd. 2(b)**

ADJOURNMENT

ZONING COMMITTEE MEMBERS: Call Patricia James at 266-6639 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SITE PLAN REVIEW COMMITTEE
TUESDAY May 17, 2011
2nd Floor Conference Room
375 Jackson Street, Suite 218

<u>Time</u>	<u>Project Name and Location</u>
9:30	Meridian Industrial Center New 68,000 sq. ft. Office / Industrial Building 620 Pelham Blvd

To Applicants:

You should plan to attend this meeting.

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff.

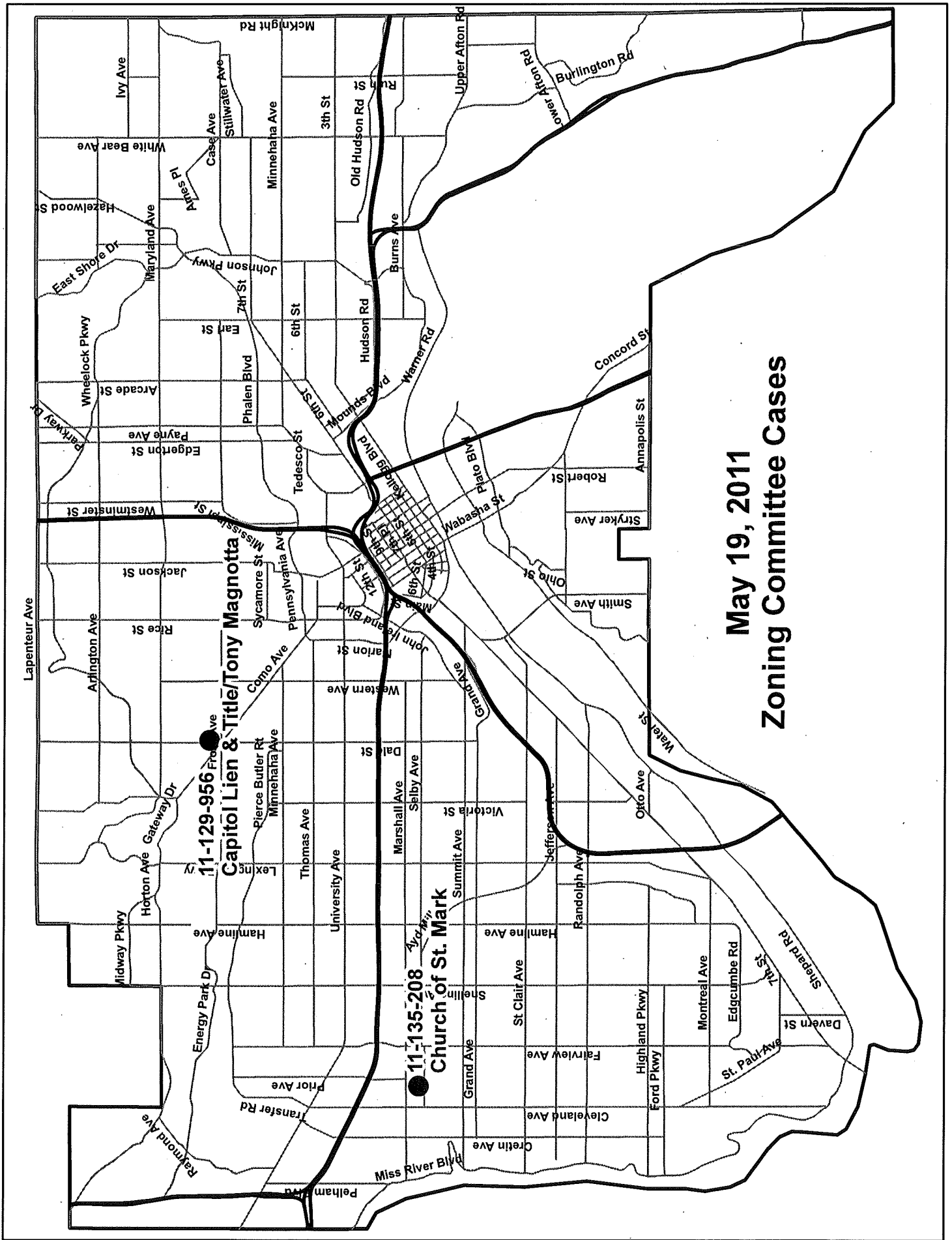
The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

Parking

Parking is available at on-street meters. Some off-street parking spaces are available in our visitor parking lot off of 6th Street at Jackson.

To see a map of additional nearby parking ramps go to
<http://www.ci.stpaul.mn.us/depts/dsi/liep/info/location.html>

If you have any questions, please call Mary Montgomery at 651-266-9088 or
mary.montgomery@ci.stpaul.mn.us.



May 19, 2011
Zoning Committee Cases

ZONING COMMITTEE STAFF REPORT

- | | |
|--|--|
| 1. FILE NAME: Capitol Lien & Title | FILE # 11-129-965 |
| 2. APPLICANT: Capitol Lien and Title / Tony Magnotta | HEARING DATE: May 5, 2011 |
| 3. TYPE OF APPLICATION: Determination of Similar Use | |
| 4. LOCATION: 1010 Dale St N, between Lawson and Hatch | |
| 5. PIN & LEGAL DESCRIPTION: PID 25-29-23-23-0063 & 0064; Lots 3-8, Blk 13, Como Prospect Addition | |
| 6. PLANNING DISTRICT: 6 | EXISTING ZONING: B3 |
| 7. ZONING CODE REFERENCE: § 61.106, § 61.501, § 65.310 | |
| 8. STAFF REPORT DATE: 4/27/11; amended May 11, 2011 | BY: Kate Reilly |
| 9. DATE RECEIVED: April 12, 2011 | 60-DAY DEADLINE FOR ACTION: June 25, 2011 |
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- A. **PURPOSE:** Determination of similar use for vertical wind turbines in the B3 general business district
- B. **PARCEL SIZE:** 150 ft. frontage x 126.03 ft = 18,904 sq. ft.
- C. **EXISTING LAND USE:** Business
- D. **SURROUNDING LAND USE:**
North: B3 - Business
East: RM2 - SF & Multi-family residential
South: B3 - Business
West: B3 - Business; R4 - SF residential
- E. **ZONING CODE CITATION:** § 61.106 authorizes the planning commission to make similar use determinations when a specific use is not listed in the zoning code. § 61.501 lists general conditions that must be met by all conditional uses. § 65.310 lists standards for cellular telephone antennas.
- F. **HISTORY/DISCUSSION:** A determination of similar use/conditional use permit was granted to Macalester College for a 10 kW, 102 foot high, free-standing wind turbine on the campus for a test period in 2002 (Z.F. # 02-236-646) and permanently in 2005 based on noise monitoring during the test period (Z.F. # 05-085-530).
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 6 Council had not commented at the time of the staff report.
- H. **FINDINGS:**
1. Capitol Lien and Title proposes installing four vertical wind turbines – three building-mounted wind turbines and one on a freestanding pole – at 1010 N. Dale Street. The three proposed roof-mounted 1.5 kW turbines would extend 15.8 ft. above the surface of the roof (a 9.8 ft. tall turbine mounted on a 6 ft. monopole). The proposed freestanding 3 kW turbine itself is 18.4 ft. tall. It will be mounted on a 13 ft. monopole, a total height of 31.4 feet.
 2. § 61.106 authorizes the planning commission to make similar use determinations when a specific use is not listed in the zoning code. While § 60.103(k) of the zoning code states that a purpose of the zoning code is “to promote the conservation of energy and the utilization of renewable energy resources,” the zoning code does not list wind turbines as a permitted use.

3. § 61.106 states that in making a similar use determination the planning commission shall make the following findings:
 - (a) *That the use is similar in character to one (1) or more of the principal uses permitted.* This finding can be made. *Cellular telephone antenna* is a principal use permitted in the B3 general business district. Cellular telephone antennas can be mounted on a roof or on a freestanding pole. Vertical wind turbines are similar in character to cellular telephone antennas in that they can be mounted on a roof or on a freestanding pole.
 - (b) *That the traffic generated on such use is similar to one (1) or more of the principal uses permitted.* This finding can be made. The minimal traffic generated by wind turbines is similar to the minimal traffic generated by cellular telephone antennas.
 - (c) *That the use is not first permitted in a less restrictive zoning district.* This finding is made. "Wind turbine" is not listed as a permitted use in any zoning district.
 - (d) *The use is consistent with the comprehensive plan.* This finding is made. While the Saint Paul Comprehensive Plan does not contain any policies specifically related to wind turbines, the use is consistent with broad policies in the comprehensive plan for energy conservation and sustainable use of renewable energy resources. The proposed wind turbines are consistent with the intent and purpose of the zoning code "to implement the policies of the comprehensive plan," including the purpose specifically stated in § 60.103(k) of the zoning code "to promote the conservation of energy and the utilization of renewable energy resources."
4. § 65.310 provides for cellular telephone antennas in the B3 general business district as permitted uses if they are building-mounted and as conditional uses if they are freestanding. The standards and conditions listed in § 65.310 for cellular telephone antennas in the B3 general business district that might also be applicable to the proposed wind turbines, and the consistency of the proposed wind turbines with them, are as follows:
 - (b) *In . . . OS-B3 . . . business districts, the antennas shall not extend more than fifteen (15) feet above the structural height of the structure to which they are attached.* The proposed roof-mounted wind turbines are reasonably consistent with this standard. The applicant proposes to mount the turbines on 6 foot monopoles to protect the turbines and to protect people on the roof from bumping into the turbines. The turbines themselves are 9.8 feet high. Together with a 6 foot pole, the top of the turbines would be 15.8 feet above the roof surface itself, and 14.3 feet above the top of the 18 inch parapet.
 - (d) *In . . . business districts, cellular telephone antennas to be located on a new freestanding pole are subject to the following standards and conditions:*
 - (1) *The freestanding pole shall not exceed seventy-five (75) feet in height, unless the applicant demonstrates that the surrounding topography, structures, or vegetation renders a seventy-five-foot pole impractical. Freestanding poles may exceed the above height limit by twenty-five (25) feet if the pole is designed to carry two (2) antennas.* The proposed 31.4 foot tall wind turbine on a free-standing pole is consistent with this standard.
 - (2) *Antennas shall not be located in a required front or side yard and shall be set back one (1) times the height of the antenna plus ten (10) feet from the nearest residential structure.* The wind turbine is not located in a required front or side yard. The location of the proposed pole is 51 feet from the nearest residential property, and farther from the nearest residential structure, consistent with this standard.

- (3) *The antennas shall be designed where possible to blend into the surrounding environment through the use of color and camouflaging architectural treatment. The proposed wind turbine and pole would have non-reflective subdued finishes consistent with this standard.*
 - (4) *In business districts, the zoning lot on which the pole is located shall be within contiguous property with OS or less restrictive zoning at least one (1) acre in area. The lot is within a large contiguous area of B3 and industrial zoning consistent with this standard.*
 - (g) *Freestanding poles shall be a monopole design. The proposed freestanding pole is a monopole design consistent with this standard.*
 - (h) *Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary, it shall be permitted and regulated as an accessory building, section 63.500, and screened from view by landscaping where appropriate. The applicant states that all electrical equipment related to the wind turbines will be located in the existing building, and wires from the freestanding turbine to the electrical equipment will be buried.*
5. § 65.310 provides for cellular telephone antennas on a freestanding pole in the B3 district as a conditional use. In a determination as to the similarity of a wind turbine on a freestanding pole in the B3 district to cellular telephone antennas on a freestanding pole in the B3 district, it is therefore appropriate to review the proposed wind turbine for conformance with the general standards in § 61.501 that apply to approval of all conditional use permits:
- (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. The wind turbine is consistent with this standard as stated in Finding 3(d).*
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. The turbine will generate minimal traffic and is consistent with this standard.*
 - (c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. The appearance of the wind turbine will be consistent with the appearance of light poles in the parking lot and general area, and will not be detrimental to the existing character of the development in the immediate neighborhood.*

The impact of sound generated by wind turbines is affected by a number of variables. Noise monitoring found that the sound generated by the 10 kW turbine at Macalester was imperceptible because of ambient noise in the area. In order for a sound to be heard over ambient noise it must be at least twice as loud as the ambient noise. Sound generated by the turbines increases with wind speed, while increased wind also increases ambient noise. Sound decreases 6 dB(A) for each doubling of distance from the source. Cumulative sound is measured logarithmically. For example, two things making sound at 50 dB(A) would have a cumulative sound level of 53dB(A) and four would generate a sound level of 56 dB(A).

The sound generated by the 3000 watt wind turbine is 55 dB(A) at a wind speed of 11 miles per hour and 65 dB(A) at a wind speed 22 miles per hour. A speed limiter starts at a wind speed of 28 mph, and the turbine shuts down at a wind speed of 33 miles per hour. Based on the data provided, it appears that the turbine would meet the L10 (10% of an hour) city noise limit standard of 70 dB(A) for commercial districts. The city noise standard in

residential districts is an L10 of 65dB(A) in the daytime (7:00 a.m. to 10:00 p.m.) and an L10 of 55dB(A) at night (10:00 p.m. to 7:00 a.m.). Also, the Minnesota noise pollution rules for residential areas have an L50 (50% of an hour) standard of 60 dB(A) in the daytime and an L50 of 50 dB(A) at night. These are measured at the point of nearest human activity. Based on the data provided and the distance to residential property, it appears that the turbine may meet the 65 dB(A) daytime city noise standard for residential districts. While wind generally blows at a lower speed in the night time, the proposed turbines are close enough to the point of nearest human activity on residential property that these standards could be violated, particularly with the cumulative sound of the four proposed turbines. In order to protect the public health and welfare and reduce the likelihood of violations of the city and/or state noise standards, a more detailed noise impact analysis performed by an acoustical engineer is required. Section 293.08(b) of the Saint Paul Legislative Code states that any city department or agency may require a noise impact statement in association with any change in zoning classification, in planning of a structure, or in any operation, process, installation or alteration which may be considered as a potential noise source.

(d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. The proposed wind turbine is consistent with this standard.

(e) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. The proposed wind turbine is consistent with this standard.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of a determination of similar use for three 1.5 kW roof-mounted vertical wind turbines (with a height of 15.8 feet above the roof surface) and one 3.0 kW vertical wind turbine on a freestanding pole (with a total height of 31.4 feet) in the parking lot, in the B3 general business district, at 1010 N. Dale Street, subject to the condition that the applicant provides a noise impact statement to the Zoning Administrator, completed by an acoustical engineer, showing that when in operation, the sound levels from the four proposed wind turbines will be in compliance with the requirements of Saint Paul Legislative Code 293 and Minnesota Rules 7030.

DETERMINATION OF SIMILAR USE APPLICATION



Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102
(651) 266-6589

Zoning office use only

File no. 11-129965

Fee 700.00

Tentative hearing date:

5-5-11

PD-6

25292323.0063

APPLICANT

Name Capitol Lien + Title / Tony Magnotta
Address 1010 North Dale Street
City St. Paul St MN Zip 55117 Daytime phone 651-488-0300
Name of owner (if different) —
Contact person (if different) — Phone —

PROPERTY LOCATION

Address/Location 1010 North Dale Street
Legal description: Lots 3, 4, 5, 6, 7 + 8 of Compo-Prospect Add. Current Zoning B-2
(attach additional sheet if necessary)

REQUEST: Application is hereby made under the provisions of Chapter 61, Section 106 of the Zoning Code for a Determination of Similar Use.

Current use Office Building
Proposed use Office Building powered by Wind turbines

SUPPORTING INFORMATION: Provide the following information (attach additional sheets if necessary).

☒ Is the use similar in character to one or more of the principal uses permitted in the zoning district?

Yes, the proposed use of small vertical wind turbines VWT's are similar to cell phone towers + light standards.

☒ Is the traffic that the use will generate similar to traffic generated by one or more permitted uses?

There may be a slight increase in traffic from interested parties.

☐ Is the use already permitted in a less restrictive zoning district?

No - St. Paul has no zoning for Wind Turbines.

Required site plan is attached ☒

Applicant's signature

[Signature]

Date

4-12-11

City agent

pdd

4-12-11

MINNESOTA WIND TECHNOLOGY

1010 North Dale Street
Saint Paul, Minnesota 55117
(651) 214-6320
Dann@MnWind.US

April 12, 2011

Mr. Allan Torstenson
City of Saint Paul
Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
Saint Paul, Minnesota 55102

Dear Mr. Torstenson,

Attached please find, pursuant to our discussions with City staff, Capital Lien and Title's Application for Determination of Similar Use, for 4 vertical wind turbines, (VWAT's) at 1010 North Dale Street.

Along with our Application you will find pictures of the proposed VWATs, a site plan, and engineering plans for both the pole in the parking lot and the 3 roof mounted units. In answer to the questions Kate Riley had, the parking lot pole for the DS3000 will be 13 feet tall. In regards to the cut-off speed, that is 33 MPH. Supporting documentation is attached.

Lastly, since the issues of noise and sound levels have been raised, you will find sound testing data and certification by TUVNel.

If you need any additional data, please don't hesitate to contact us.

Thanking you again, for your cooperation and assistance in this manner, we remain,

Respectfully yours,



Daniel D. Dobson J.D.
Vice-President of Governmental Relations

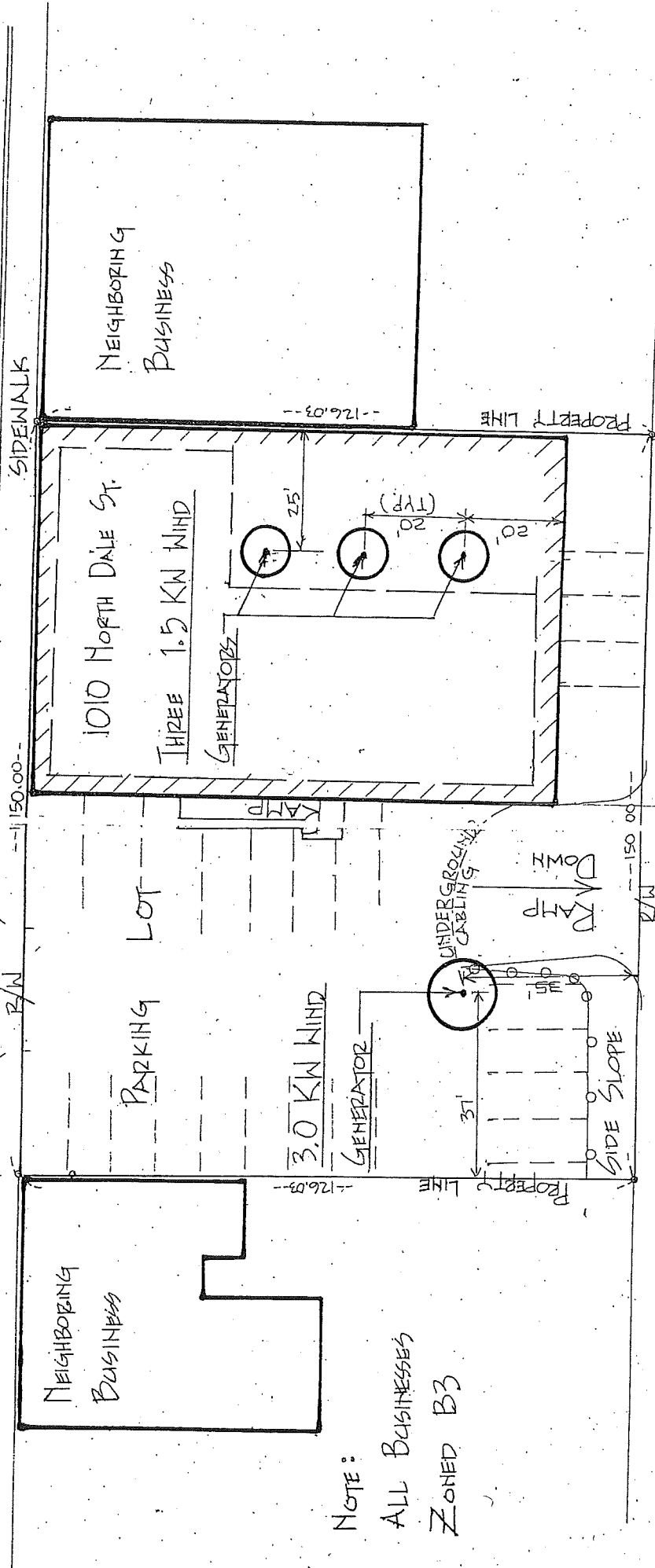
Cc: Tony Magnotta – Capitol Lien and Title
Jay Nygard - Minnesota Wind Power

ZONED K4-

NORTH DALE STREET

CITY & COUNTY

SCALE: 1" = 20'



NOTE:
ALL BUSINESSES
ZONED B3

ZONED RM2

ZONED RM2

PROPOSED SITE IMPROVEMENTS
1010 NORTH DALE STREET

THOM 3.29.2011

4" * 2" Steel

Ericksen Roed & Associates

Structural Engineers

2550 University Avenue West Ste 201-S

Saint Paul, Minnesota 55114-1904

Telephone: 651-251-7570

Facsimile: 651-251-7578

Project Report:

PROJECT: 1010 North Dale Street Wind Turbine Support

TO: Thom Ritchie
Go Green Energy, LLC
1386 Rest Point Road
Orono, MN 55364

DATE OF REPORT: 12/21/10

ER COMMISSION NO: 2010312-00

Project Location: Capitol Lein
1010 North Dale Street
St. Paul, MN 55117

I. PROJECT INFORMATION:

- A. This report summarizes the findings of Ericksen Roed & Associates as related to the installation of three (3) 1.5 kw wind turbines on the roof of the existing structure located at the address noted above.

II. WIND TURBINE INFORMATION (from installer and manufacturer):

- A. The wind turbines shall be model DS-1500 as manufactured by Hi-Vawt Technology Co.
- B. The wind turbine will be installed at an elevation approximately 6'-0" above the roof of the existing structure.
- C. The support of the turbine shall be a 10" Diameter pipe and will have a circular cap plate with six (6) bolts as directed by the turbine manufacturer.
- D. Everything above the circular cap plate is to be provided by the turbine manufacturer.
- E. The area of the turbine that is "solid" is approximately 35% of the total area of the turbine head.

III. EXISTING BUILDING INFORMATION:

- A. The existing building is a 100' x 75' one story structure with full basement.
- B. The original construction was completed in 1961 or 1962 per the building owner.
- C. It is constructed as follows:
 - a. The roof is 3 bays (25'-0" each) framed using steel roof deck on 14" steel bar joists supported by 16" deep wide flange steel beams and 4" diameter steel pipe columns. Columns are believed to be spaced at approximately 20'-0" oc.
 - b. The exterior walls are 12" concrete block.

- c. The main floor level is precast plank/topping supported by wide flange steel beams and steel columns.
- d. Foundation information is not known at this time.

IV. SUPPORT OF WIND TURBINES ON EXISTING ROOF:

- A. See attached sheet S1 for a partial roof framing plan.
- B. Attach a 10" Diameter – Schedule 40 pipe to the existing steel beam using two steel angles/steel plate as shown in the attached "Section A" on sheet S2.
- C. Install angle kickers/ tube header as shown in "Section A" on sheet S2 on both sides of steel pipe per partial roof framing plan on sheet S1.
- D. Note the following information:
 - a. All steel angles and plates shall be ASTM A36 steel ($F_y = 36$ ksi).
 - b. All steel pipe shall be ASTM A53 – Grade B steel ($F_y = 35$ ksi)
 - c. All steel tubes shall be ASTM A500 – Grade C steel ($F_y = 46$ ksi)
 - d. All welding shall be performed by AWS certified welders using E70xx electrodes.

V. DISCLAIMERS:

- A. The opinions and recommendations contained in this report are based on the information provided to Ericksen Roed & Associates, as noted above, and on the calculations which were performed based on the information.
- B. This report applies only to those items noted above and do not reflect any conditions of the existing structure beyond that which is noted above.
- C. Ericksen Roed & Associates shall not be responsible for the means, methods, procedures, techniques or sequences of construction, nor for safety on the job site, nor shall Ericksen Roed & Associates be responsible for the Contractor's failure to carry out the work in accordance with the contract documents.

If you have any questions concerning the above information, or if we may be of further assistance to you, Please feel free to contact us.

Submitted by,

James A. Krzoska, PE
William T. Buller, PE, SE
ERICKSEN ROED AND ASSOCIATES

cc: Tony Magnotta
CEO/ Capitol Lien
1010 North Dale Street
St. Paul, MN 55117

Structural Engineers

Saint Paul Office
2550 University Avenue West, Ste. 201-S
Saint Paul, Minnesota 55114-1904
Telephone: 651-251-7570
Facsimile: 651-251-7578

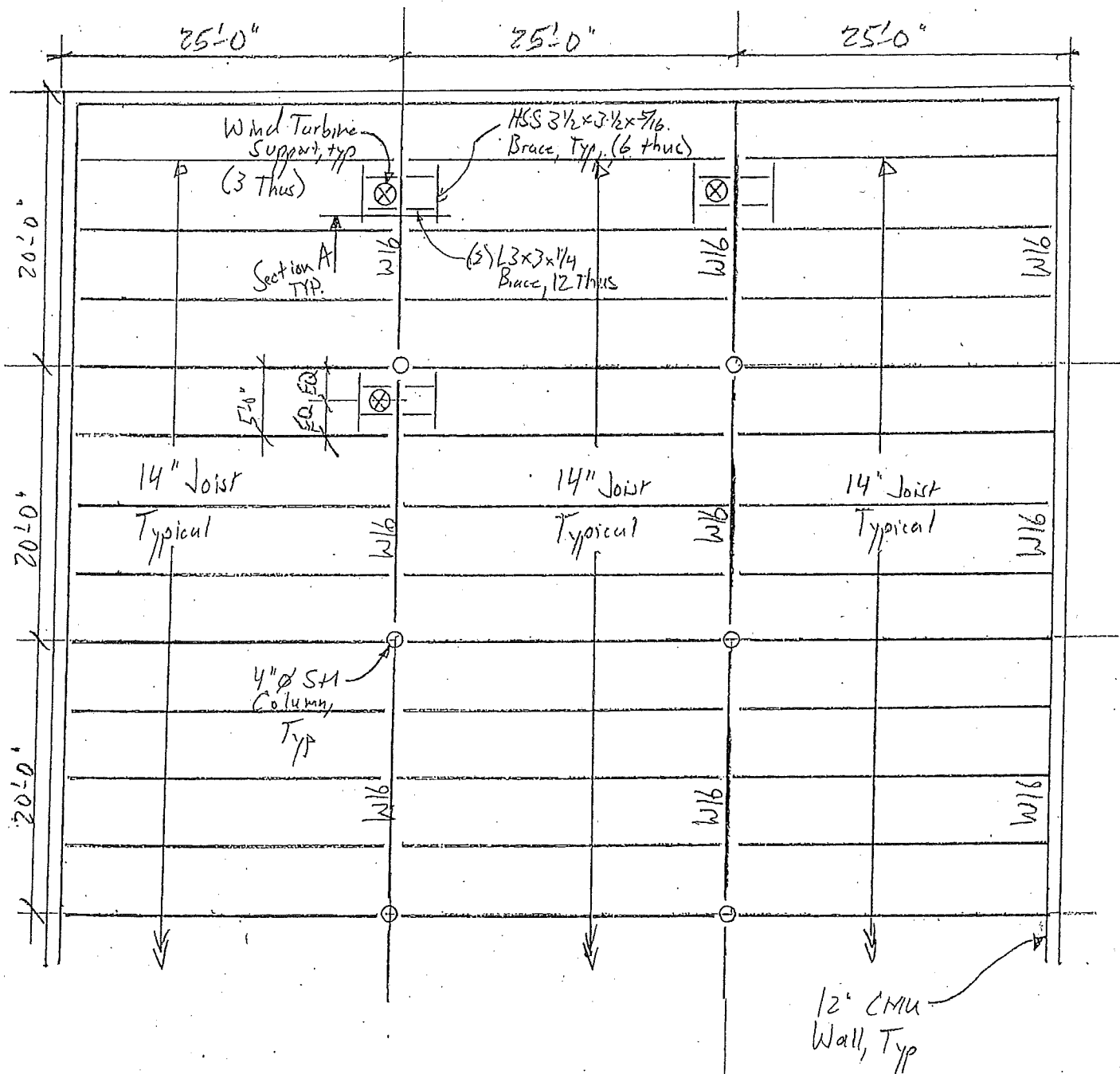
Eau Claire Office
3610 Oakwood Hills Parkway, Ste. #1
Eau Claire, Wisconsin 54701
Telephone: 715-552-5336
Facsimile: 715-552-5373

Job 1010 Dale Street

Comm. No. 2010311.00

Date 12/17/10

Name JH



① Partial Roof Framing Plan
NTS

Note: Field Verify all existing dimensions/conditions prior to fabrication of any materials.

Ericksen Roed & Associates

Structural Engineers

Saint Paul Office
2550 University Avenue West, Ste. 201-S
Saint Paul, Minnesota 55114-1904
Telephone: 651-251-7570
Facsimile: 651-251-7578

Eau Claire Office
3610 Oakwood Hills Parkway, Ste. #1
Eau Claire, Wisconsin 54701
Telephone: 715-552-5336
Facsimile: 715-552-5373

Page No. S2

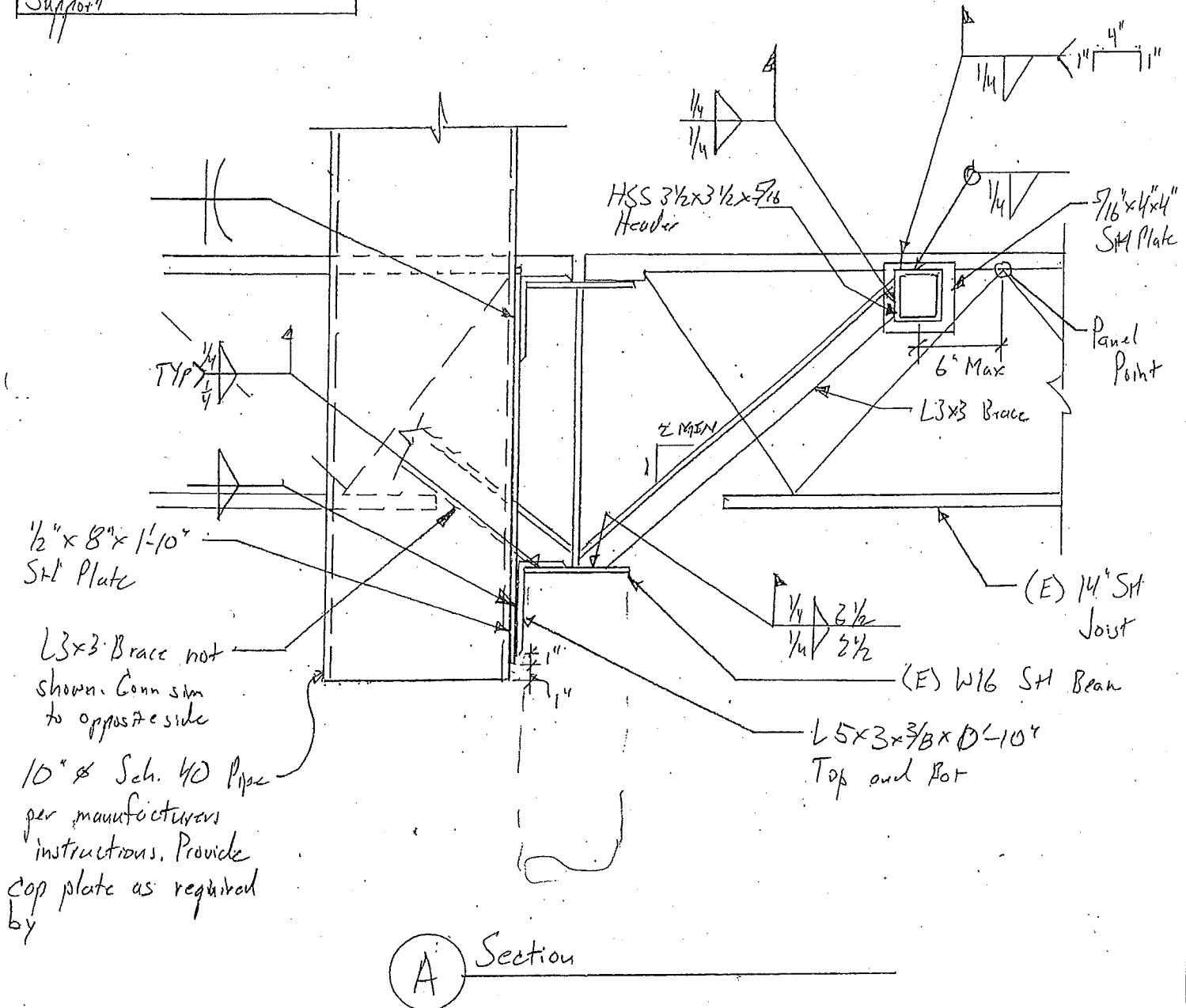
Job 1010 N. Dale St.

Comm. No. 2010312-00

Date 12/17/10

Name JAK

Note: Remove and replace
Steel Roof deck as
required to install turbine
Support



Hi Energy DS3000 Specs

Rotor Specifications

Blade Diameter	13.1 ft (4.0 m)
Height (Including Stand)	18.4 ft (5.6 m)
Blade Number	4
Blades Material	Aluminum
Stand Material	SS400
Cut-in Wind Speed	5.5 mph (2.5 m/s)
Rated Wind Speed	26.8 mph (12m/s)
Rated rpm	180 rpm
Cut-out Wind Speed	33.5 mph (15m/s)
Survival Wind Speed	131 mph (60m/s)
Weight (Including Stand)	1500 lbs. (680kg)

Generator Specifications

Generator Type	AC, 3 Phases Synchronism PMG
Rated Power	3000 W

Inverter System

MPPT, Over-speed Brake Control, Battery Charge

Output Voltage	48 V DC
Output Current	< 130 Amp

Battery 12V, 100AH; Deep Cycle Lead-Acid Battery, Gel Type

Braking System

Overspeed Braking Control	Automatic Short-Circuit Braking System
Manual Braking System	Drum Brake

Operation Temperature

Ambient Temperature	-10 ~ 40 °
Ambient Humidity	95% Maximum

Hi Energy DS1500 Specs

Rotor Specifications

Blade Diameter	9.2 ft (2.8 m)
Height (Including Stand)	9.8 ft (3.9 m)
Blade Number	3
Blades Material	Aluminum
Stand Material	SS400
Cut-in Wind Speed	5.5 mph (2.5 m/s)
Rated Wind Speed	26 mph (12m/s)
Rated rpm	250 rpm
Cut-out Wind Speed	33 mph (15m/s)
Survival Wind Speed	131 mph (60m/s)
Weight (Including Stand)	772 lbs. (350kg)

Generator Specifications

Generator Type	AC, 3 Phases Synchronism PMG
Rated Power	1500 W

Inverter System

MPPT, Over-speed Brake Control, Battery Charge	
Output Voltage	48 V DC
Output Current	< 60 Amp
Battery	12V, 100AH; Deep Cycle Lead-Acid Battery, Gel Type

Braking System

Overspeed Braking Control	Automatic Short-Circuit Barking System
Manual Braking System	Drum Brake

Operation Temperature

Ambient Temperature	-10 ~ 40 °
Ambient Humidity	95% Maximum

Samantha Langer - Fwd: 14 day continuance for 1010 North Dale Vertical Wind Turbines

From: Kate Reilly
To: Langer, Samantha
Date: 5/5/2011 2:25 PM
Subject: Fwd: 14 day continuance for 1010 North Dale Vertical Wind Turbines

Sam,

Can you have copies of this made for the ZC meeting?

Thanks,
Kate

>>> Dann Dobson <dann.dobson@gmail.com> 5/5/2011 2:18 PM >>>

Dear Mr. Tortenson and Ms. Reilly -

Pursuant to our discussion earlier today, Mr. Tony Magnotta wishes to layoff, or continue his application for Determination of Similar Use for his Vertical Wind Turbines at 1010 North Dale for 14 days, or until May 19th.

We are aware of and understand the statutory requirements found in Minnesota Statute 15.99 (1995) require the City of Saint Paul to approve or deny this application within sixty days of it's submission. We desire to extend the sixty day period for 14 days to accommodate the continuance, we are requesting.

Daniel Dobson
Minnesota Wind Technology
Representative for Applicant Tony Magnotta

April 12, 2011

MINNESOTA part of the official

Please make these 4 pins

State Bird: Common Loon; Photo © Jerry Heinmen.
State Flower: Showy Lady's Slipper; Photo © Richard Haug.
State Tree: Red Pine; Photo © Richard Haug.

MINNESOTA

Mr Joe Marino
671 Simon Ave
Saint Paul, MN

1. Self City England
 2. And a winter rest
 3. Surfaced And I was
 4. With the world of
 5. And a winter rest
 6. And a winter rest

NO NOT REFORMATION LINE

POST CARD

Address _____

Oct. 14th Paid
 Mary's Comm. List
 1900 City Hall Cor.
 100 West 11th St.
 At York Nov 5-00

Samantha Langer - Fwd: Re: 1010 N. Dale Wind turbines

From: Kate Reilly
To: Langer, Samantha
Date: 4/28/2011 1:04 PM
Subject: Fwd: Re: 1010 N. Dale Wind turbines

Please send this to the planning commission/zoning committee.

Thanks,
Kate

Kate Reilly
Department of Planning and Economic Development
25 West Fourth Street, Suite #1300
Saint Paul, MN 55102
Tel: 651.266.6618
Fax: 651.228.3261
kate.reilly@ci.stpaul.mn.us

Saint Paul - The Most Livable City in America

>>>

From: Kate Reilly
To: Bloom, Jim; Boulware, Christine; Dubruiel, Paul; James, Patricia; Lane, Wendy; Montgomery, Mary; Torstenson, Allan; Zacho, Karen
Date: 4/28/2011 12:44 PM
Subject: Re: 1010 N. Dale Wind turbines

Hello,

Just a clarification of Mary's comments.

The rooftop mounted turbines are 1,500 Watt turbines (1.5 kW).

The pole mounted (18' high) turbine is a 3,000 Watt turbine (3.0 kW)

Thanks,
Kate

Kate Reilly
Department of Planning and Economic Development
25 West Fourth Street, Suite #1300
Saint Paul, MN 55102
Tel: 651.266.6618
Fax: 651.228.3261
kate.reilly@ci.stpaul.mn.us

Saint Paul - The Most Livable City in America

>>> Mary Montgomery 4/28/2011 12:36 PM >>>
Hello

These photos were taken at the open house for this pilot wind turbine program on Wednesday evening April 27th at 1010 North Dale St. The turbine on the pole in photo 1 is just a sample of what they will look like in place but much smaller. Photos 2 and three show size and the airfoil edge of the blades. Photo 4 is one of the rooftop blades. The man in the photo is 6' tall. Photo 5 is a blade from the larger turbine to be installed in the parking lot.

There was very little wind that evening so the sample turbine was moving slowly. There was no noise or vibration to the touch coming from the pole. The street noise on Dale was high and the event hosts were projecting that it would be higher than the noise generated by the larger turbines. According to the hosts, the unknowns include effects on birds and maybe some types of television reception.

The actual blades to be used are leaning against the fence. These are the Darrius blades. There are two outer Darrius blades per turbine and a Savonius inner blade. The Savonius is a drag-type turbine which operates in the same way as a cup anemometer. According to one web site, Savonius wind turbines typically only have an efficiency of around 15% - i.e. just 15% of the wind energy hitting the rotor is turned into rotational mechanical energy. This is much less than can be achieved with a Darrius turbine which uses *lift* rather than drag. The model in the photos uses both technologies. The Savonius will start the turbine moving and the Darrius will take over once it gets spinning.

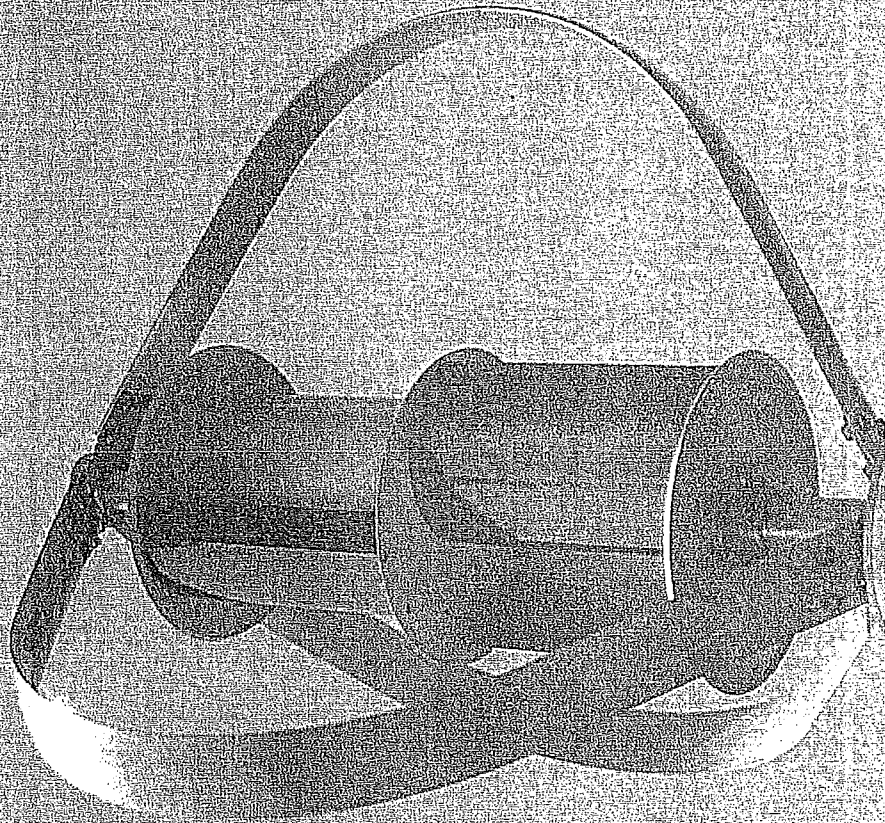
The larger turbine will be 18' High and 13' wide mounted on top of a 10' pole. This turbine will be installed in the parking lot. This larger turbine is capable of generating 3,000 KW and I was told at peak performance would take care of the needs of a single family household.

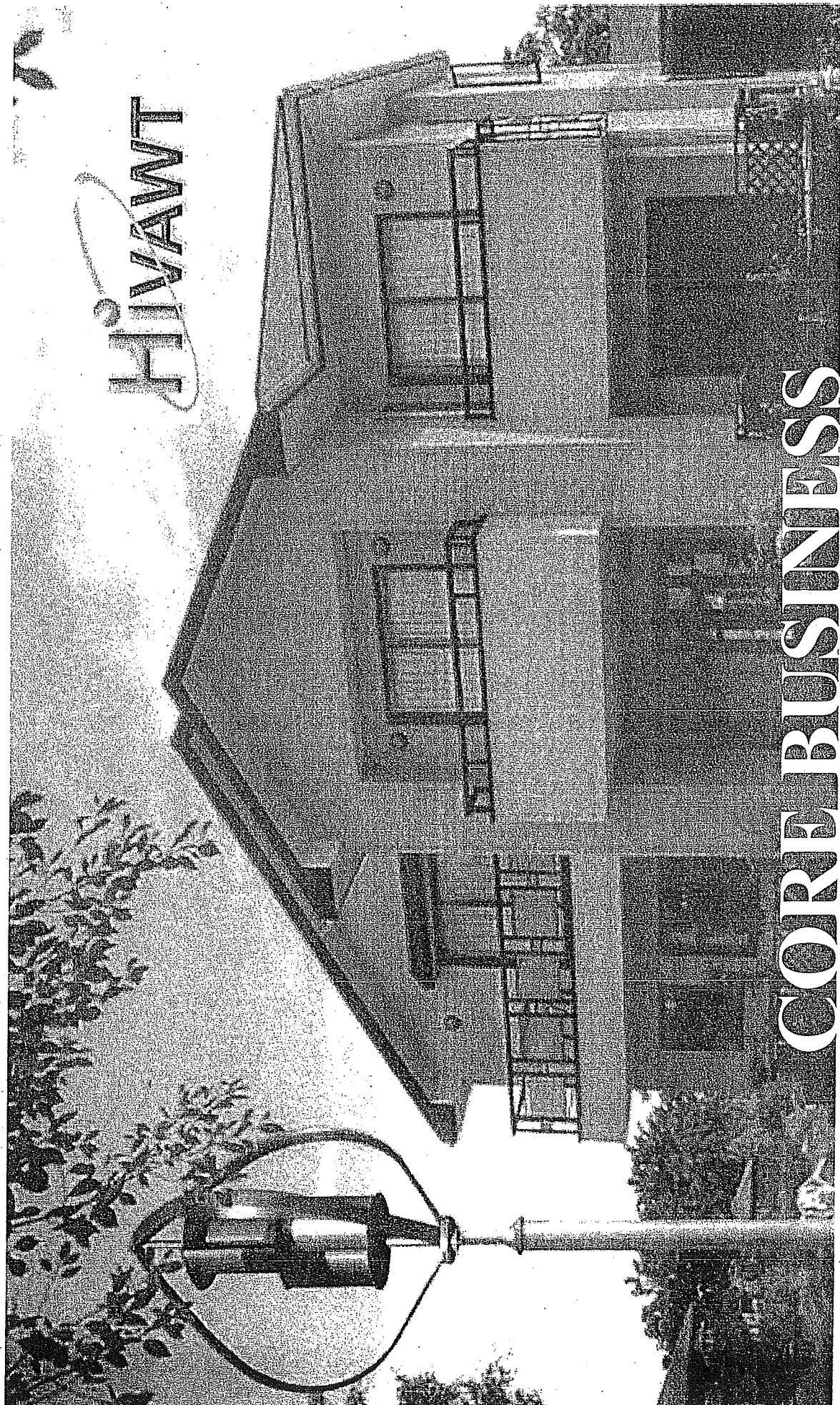
The smaller blade shown is for one of the three, 1,500 KW turbines that will be placed on the rooftop. These 9' tall turbines will be mounted on top of 7' tall poles. The setback from Dale St. on the rooftop will vary in the 40' and 50' range.

Mary Montgomery
DSI Zoning Inspector
City of Saint Paul
375 Jackson St. Suite 220
Saint Paul, MN. 55101-1024
Tel: 651-266-9088
Fax: 651-298-4194
mary.montgomery@ci.stpaul.mn.us

Hi-VAWT SWT

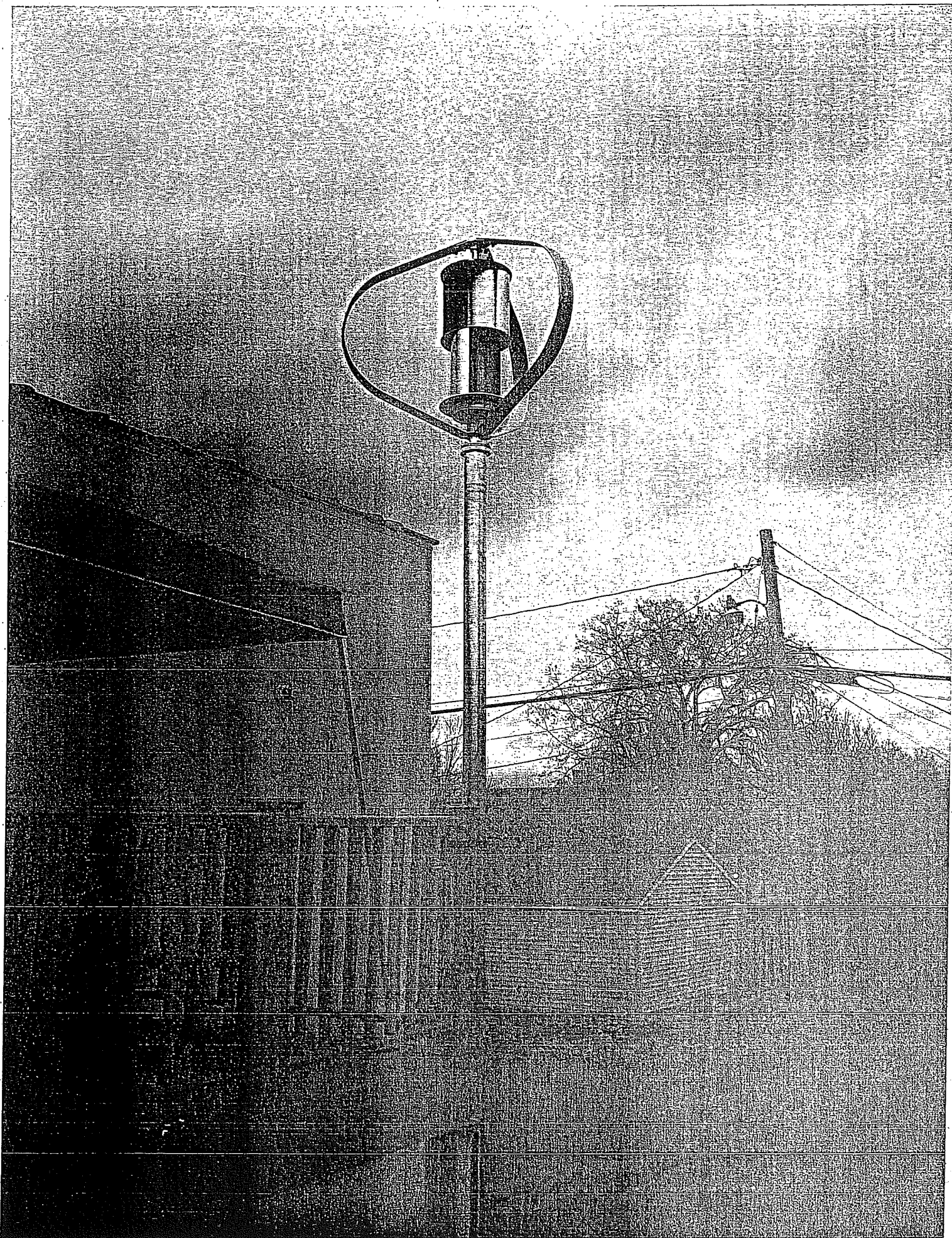
Create Blue Ocean Business for Renewable Energy





HIVAWT

CORE BUSINESS



Small demonstration wind turbine



Darrius blade for 1.5 kW turbine (to be roof mounted)

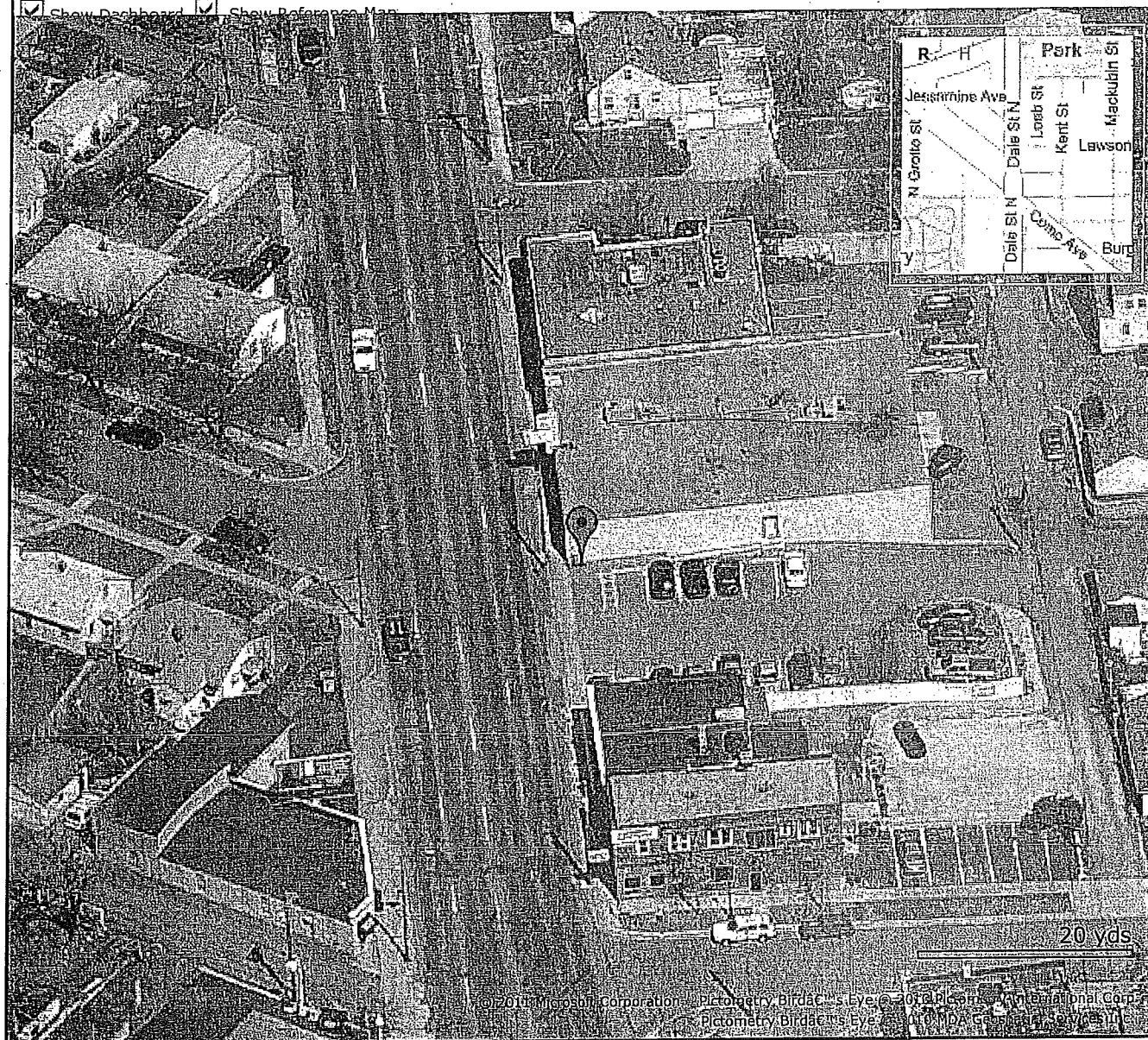


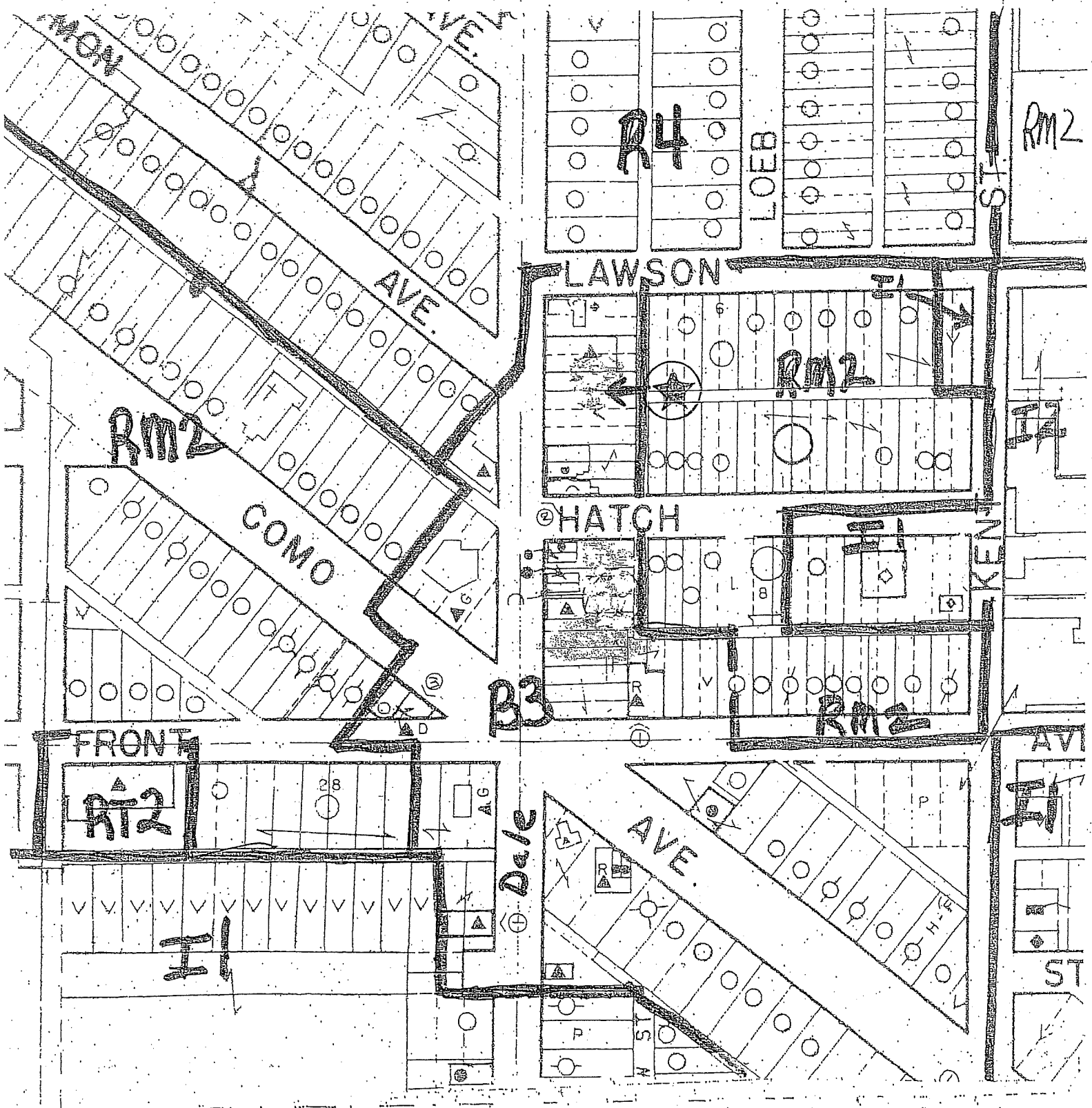
Darrius blade for 3kW turbine (pole mounted)

GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

☒ Show Dashboard ☒ Show Reference Map





APPLICANT Capitol Lein and title
 PURPOSE DSU
 FILE # 11-129965 DATE 4-14-11
 PLNG. DIST. 6 Land Use Map # 12
 Zoning Map # 9
 SCALE 1" = 200'
Amended map

LEGEND

zoning district boundary
 subject property

one family
 two family
 multiple family

commercial
 industrial
 vacant

north

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Church of St. Mark **FILE #** 11-135-208
 2. **APPLICANT:** Church of St. Mark **HEARING DATE:** May 19, 2011
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 1976 Dayton Ave, SE Corner at Moore
 5. **PIN & LEGAL DESCRIPTION:** 042823220062, Merriam Park Second Add Lots 5 And Lot 6 Blk 9
 6. **PLANNING DISTRICT:** 13 **PRESENT ZONING:** R3
 7. **ZONING CODE REFERENCE:** §65.132 ; §61.501
 8. **STAFF REPORT DATE:** May 11, 2011 **BY:** Josh Williams
 9. **DATE RECEIVED:** April 28, 2011 **60-DAY DEADLINE FOR ACTION:** June 27, 2011
-

- A. **PURPOSE:** Conditional Use Permit for reuse of a large structure (former convent) as a residence for Saint Paul Seminary seminarians
- B. **PARCEL SIZE:** 15000 sq. ft.
- C. **EXISTING LAND USE:** N-Church/Synagogue/Temple
- D. **SURROUNDING LAND USE:**
 - North: School (R3)
 - East: Single-Family Residential/Parking (R3)
 - South: Single-Family Residential (R3)
 - West: Single-Family Residential (RT1)
- E. **ZONING CODE CITATION:** §65.132 lists the standards and conditions for reuse of large structures in residential districts; §61.501 lists general conditions that must be met by all conditional uses.
- F. **HISTORY/DISCUSSION:** No zoning history exists for the property.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 13 Council has not provided a recommendation as of the writing of this report.
- H. **FINDINGS:**
 1. The Church of Saint Mark is proposing, on behalf of the Saint Paul Seminary, to reuse the existing structure at 1976 Dayton. Originally a convent, the building has more recently served as a "parish center" for the Church of St. Mark, including offices and meeting spaces. The proposed reuse of the property is as a residence for up to twenty-four seminarians during the academic year. The Saint Paul Seminary will be funding internal renovations of the structure as needed to meet fire and building codes as determined by Saint Paul officials.
 2. §65.132 lists standards and conditions for reuse of large structures in residential districts:
 - (a) *The Planning Commission shall find that the structure cannot reasonably be used for a conforming use.* A convent is no longer associated with the property, and while a small number of clergy and members of religious orders have resided at the property in recent years, the bulk of the structure has been largely unused. The proposed use will allow the full use of the structure, and provide a financial means for internal, mechanical improvements, helping to ensure the long-term viability of a designated historic structure.
 - (b) *The Planning Commission shall find that the proposed use and plans are consistent with the Comprehensive Plan.* This condition is met. Policy 1.57 of the Land Use Chapter of the Saint Paul Comprehensive Plan encourages *communication between educational institutions and residents of the community when an educational institution seeks to expand.* While the proposed use is not an expansion of campus boundaries, it represents a similar physical expansion of the Saint Paul Seminary into the surrounding neighborhood. In recognition of this, the Church of Saint Mark and the Saint Paul Seminary have held three meetings with the Union Park District Council and sent a letter describing the proposed use to surrounding property

owners and residents.

(c) *The Planning Commission shall find that the proposed use and structural alternations or additions are compatible with the surrounding neighborhood and land uses.* This condition is met. The proposed reuse is similar to the original use of the structure, and no structural alterations are being proposed. The seminarians residing at the property will spend the majority of each weekday on the nearby campus of the Saint Paul Seminary, returning to the property for evenings and weekends.

(d) *Parking for the new use shall be provided in accordance with the requirements of section 63.200 for new structures.* This condition is met. The proposed dwelling use is similar to a roominghouse, the off-street parking requirement for which is one space per three occupancy units. The reused structure will house approximately 20-25 seminarians, one per room. A church-owned lot to the east provides more than adequate off-street parking.

(e) *Applications for conversion or reuse shall include a notarized petition of two-thirds (2/3) of the property owners within one hundred (100) feet of the property proposed for reuse, site plans, building elevations, and landscaping plans, and other information which the planning commission may request.* This condition is met. The applicant has submitted signatures for the minimum required eight of eleven total eligible parcels. As the proposed reuse entails no structural or external alterations of the building and no changes to the site, this condition is met.

3. §61.501 lists five standards that all conditional uses must satisfy:

- (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The proposed use will involve the housing of seminarians, a population similar to that which would occupy the structure if it were in use as a convent, monastery, or religious retreat, uses allowed in an R3 district. Also see finding 2(b).
- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. Automotive traffic to and from the site will be limited, as the expense and scarcity of parking on the nearby campus will encourage seminarians to travel to the campus—their primary destination during the week—by alternative modes.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The proposed use is similar to the original use of the structure, built in 1927, as a convent, and will not present a detriment to the character of the immediate neighborhood, nor present a endangerment of the public health, safety, or general welfare.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The proposed use is similar in character to the original use of the structure, which itself did not impede the normal and orderly development of surrounding property.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use will in all other respects conform to the applicable regulations of the district in which it is located.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for reuse of a large structure (former convent) at 1976 Dayton Avenue as a residence for Saint Paul Seminary seminarians.

**CONDITIONAL USE PERMIT APPLICATION**

Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning office use only
File # 11-135208
Fee: 800.00
Tentative Hearing Date: 5-19-11

PD-13

042823220062

APPLICANT

Name Church of St. Mark
Address 2001 Dayton Ave.
City St. Paul St. MN Zip 55104 Daytime Phone 651-645-5717
Name of Owner (if different) _____
Contact Person (if different) Sharon Sues Phone 651-645-5717

**PROPERTY
LOCATION**

Address / Location 1976 Dayton Ave.
Legal Description Lots 5 and Lot 6 Blk 9
1D-04.28.23.22.0062 Current Zoning R-3
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of
Chapter 65, Section 132, Paragraph _____ of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

See attached

☐ Required site plan is attached

CK
14489
800⁰⁰

Applicant's Signature

Date

4/28/11

City Agent

pdd
4/28/11

Church of St. Mark
Request for Conditional Use Permit to Lease a Portion of Parish Center to St. Paul Seminary
Supporting Information

April 28, 2011

Church of St. Mark of St. Paul is seeking a Conditional Use Permit from the City of St. Paul to lease a portion of its parish center at 1976 Dayton Avenue to The Saint Paul Seminary to house up to 24 seminarians and a priest.

The center, constructed in 1928 as a convent for the Sisters of St. Joseph, includes parish offices for the church on the first floor and sleeping rooms on the second and third floor. Small groups of nuns have used those rooms in recent years, but the space mostly has remained vacant.

This academic year, The Saint Paul Seminary has 91 graduate students in theology studying for the priesthood, the largest enrollment since 1981, and enrollment may grow again this fall. The seminary no longer has sufficient space to house students on its campus at 2260 Summit Avenue and views the St. Mark's convent as a medium-term solution. The seminary will continue to develop a long-term plan to meet housing needs.

Up to 24 seminarians and one priest would live in the St. Mark's convent. They would range in age from mid-20s to 50s and much of their time would be at seminary, with early-morning prayers and breakfast followed by classes, dinner and evening activities. Any students who have cars would park them in the St. Mark's lot on the southwest corner of Dayton and Prior avenues, just east of the convent, in accordance with requirements of Section 63.200 of the zoning code.

The city has advised St. Mark's that while the convent is zoned to house residents, the church needs a Conditional Use Permit because "housing seminarians" is not specified as an approved use even though the intent is the same: to bring together people with a common religious purpose.

This Conditional Use Permit includes a requirement to receive signatures of support from two-thirds of property owners within 100 feet of the convent. There are 11 such property owners, and a sufficient numbers of signatures have been obtained on the enclosed notarized petition.

A site plan is not required for this application because no exterior changes or additions are planned for the building. The interior of the upper two floors would be renovated for use by the seminarians, with updated plumbing, new carpet, a fresh coat of paint and new furnishings.

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A CONDITIONAL USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property, acknowledge that we have been presented with the following:

A copy of the application of Church of St. Mark,
(name of applicant)

to establish a housing for seminarians,
(proposed use)

located at: 1976 Dayton Ave.,
(address of property)

requiring a conditional use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR P.I.N.	RECORD OWNER	SIGNATURE	DATE
1970 Dayton	Tuan pham	[Signature]	4/28/11
1986 Dayton	Pete & Tomie Theisen	[Signature]	4/28/11
1925 Selby	Dan E. Ireland	[Signature]	4/28/11
1969 Selby	Dorothy Heinz	[Signature]	4/28/11
1991 Dayton	Fr. Humberto Palomino	[Signature]	4/28/11
1976 Dayton	Fr. Humberto Palomino	[Signature]	4/28/11
1993 Dayton	Fr. Humberto Palomino	[Signature]	4/28/11
1952 Dayton	Fr. Humberto Palomino	[Signature]	4/28/11

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A CONDITIONAL USE PERMIT OR A NONCONFORMING USE PERMIT

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

The petitioner, Nancy Utoff, being first duly sworn, deposes and states that the consent petitioner is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name; each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition; the consent petition contains signatures of owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition; and the consent petition was signed by each said owner and the signatures are the true and correct signatures of each and all of the parties so described.

Nancy Utoff
NAME

2260 Summit Ave
ADDRESS

651-962-5967
TELEPHONE NUMBER

Subscribed and sworn to before me this
28th day of April, 2011.

Janet M. Gould
NOTARY PUBLIC



ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED: 4-28-11

DATE PETITION RESUBMITTED: _____

DATE OFFICIALLY RECEIVED: 4-28-11

DATE OFFICIALLY RECEIVED: _____

PARCELS ELIGIBLE: 11

PARCELS ELIGIBLE: _____

PARCELS REQUIRED: 8

PARCELS REQUIRED: _____

PARCELS SIGNED: 8

PARCELS SIGNED: _____

CHECKED BY: Paul Dubrow

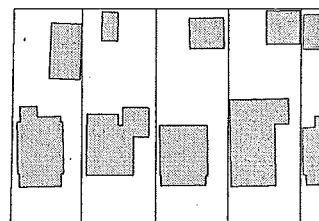
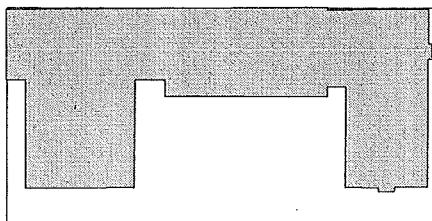
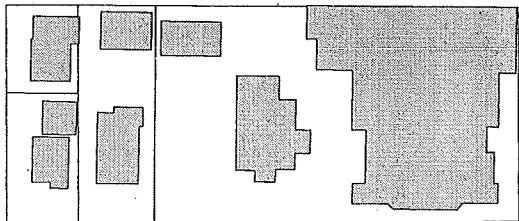
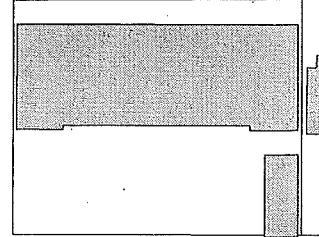
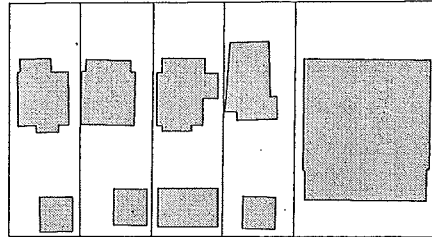
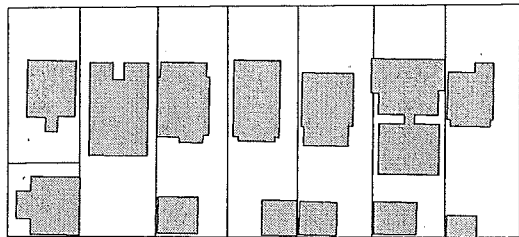
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GISmo Oblique Photography

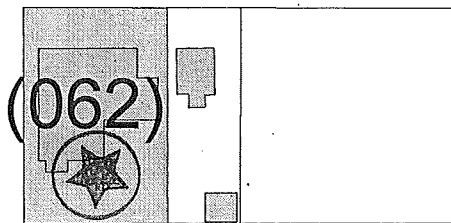
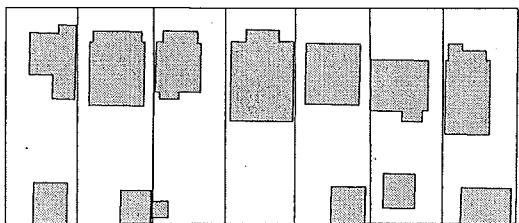
Images courtesy of: Microsoft® Virtual Earth™ 2006

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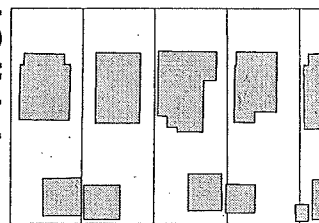




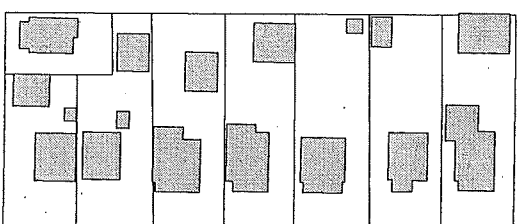
DAYTON



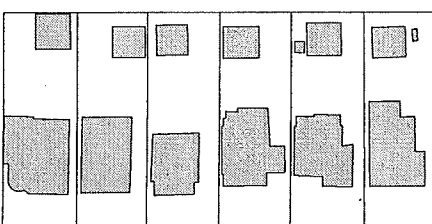
PRIOR



WILDER



MOORE



SELBY

